

5/007/038



State of Utah

Department of Natural Resources

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June 16, 2004

TO: File

FROM: Paul Baker, Reclamation Biologist *PBB*

SUBJECT: Notes from Meeting with Wes Hansen and Dan Powell; Quality Building Stone; Torrey Buff, Lucero Red, and Italian Tan Quarries, S/055/022, S/055/023, and S/007/038; Wayne and Carbon Counties, Utah

Date of Meeting: June 11, 2004

Time of Meeting: 11:00 a.m. to about 12:00 p.m.

Location: Division Office

Participants: Wes Hansen and Dan Powell (Quality Building Stone); Paul Baker, Wayne Hedberg, and Mary Ann Wright (DOGM)

On June 11, 2004, Wes Hansen and Dan Powell came to the Division office to discuss the status of reclamation, permitting and bonding efforts for two quarries near Torrey. This meeting was required in an April 28, 2004, letter from Associate Director of Mining, Mary Ann Wright. Although not the primary focus of the meeting, we also talked about the Italian Tan Quarry near Helper.

1. Permit Fees

Mr. Powell said he thought the permit fees are normally due July 26. We informed Mr. Hansen and Mr. Powell that, if they submit the permit fees now, they will apply for the entire year. There is no need to wait.

2. Bond Rider

One of the requirements of the Division's April 28, 2004, letter was for Quality Building Stone to submit a rider on their existing \$3000 bond with the BLM. This rider would name the Division of Oil, Gas and Mining as a beneficiary on the surety bond. There is apparently no problem with adding the Division, but Quality Building Stone is also trying to increase the bond amount to \$14,000. This will take a little more time, but, as far as cash outlay is concerned, it is in the best interest of Quality Building Stone. I was pleased that they were taking this step to get the bond before it is absolutely necessary to have it. Mr. Hansen said he would be checking back with the bonding agent within about 30 days.

3. Continuing Removal of Stone

Quality Building Stone is continuing to remove stone from the red quarry. They are hauling every day from existing stockpiles. They have not yet started any grading at the red quarry (north), but grading has begun at the buff quarry (south). As I recall, stone is not being taken from the buff quarry. The April 28, 2004, letter gives a deadline of mid-October for completion of grading, but Mr. Hansen said he had said in our previous meeting that he couldn't get the grading done until November 1. I said I would not be concerned over a two-week delay as long as the grading was being done and was nearing completion in mid-October.

5. Escrow Account

The Division had suggested that an escrow account be established in which to place money for the bond that would eventually need to be posted for the two Wayne county sites. The idea was that some money from sales of the stone would be placed in this account. Mr. Hansen said the stone being hauled away is only being stockpiled; it is not being sold. For this reason, no escrow account has been established.

6. Italian Tan

We also talked about the Italian Tan Quarry in Martin. Mr. Powell and Mr. Hansen expressed their concern that the Division might be basing a requirement (installation of a culvert) on a comment from the public rather than on regulatory requirements. The comment I received was a general concern about the site and was not specific to the drainage. In an inspection report, I said some form of sediment control was appropriate and also said a culvert should be installed if the operator was going to continue operations at this site. This may have been an unfortunate use of language; my intent was to suggest that using a culvert would reduce sediment loading while providing a better crossing. I did not mean to say the Division was requiring that a culvert be installed.

Mr. Powell and Mr. Hansen indicated the land owner, Utah Railway, strongly objected to putting a culvert in the stream channel. They also said the current configuration works best for them to get their trucks across the drainage and that the bottom of the channel is primarily gravel. Because it is gravel, the implication was that there would be little sedimentation of the Price River.

The Notice of Intention to Commence Small Mining Operations (NOI) requests a variance so roads constructed for the quarrying operation could be left following mining. In a subsequent deficiency letter about the NOI, I stated:

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The NOI should contain a description of the roads that will be left, preferably on a map. Please provide a statement from the land owner: 1) that they desire the roads to remain; 2) indicating for what purpose the roads will be used; and 3) agreeing to maintain the roads following mining.

Mr. Powell said he had sketched the road locations and supplied this information to Scott Tucker of Utah Railway. Mr. Tucker is supposed to provide a letter to the Division to justify keeping the roads.

On June 15, 2004, I spoke with Mr. Tucker about the road and also about the drainage crossing. He said Utah Railway would like a road going to the top of the knoll, but they do not want any side roads left following reclamation. I told him roads could be left as long as there was a postmining use for them and he said Utah Railway would use the road to the top of the knoll.

Mr. Tucker and I also talked about sediment control in Hardscrabble Creek. He said it is rare for water to come down the creek but that it does occasionally happen. He did not completely rule out the possibility of a culvert but did not like the idea. I mentioned another possibility: In the channel below the crossing, there is an area that has been disturbed, but I can't see how it would be used as part of the quarrying operations. It is possible it is used to turn equipment around or for something else I am not aware of. If this area is not being used, I suggest that it be revegetated. If a dense stand of rhizomatous grass could be established in this area, it would help filter out any sediment from disturbed areas. Mr. Tucker did not have any objections to this idea, and I sent him an electronic mail with a picture showing the area I was talking about. I will need to discuss the idea with Mr. Hansen and/or Mr. Powell.

Mr. Powell said Quality Building Stone is continuing to try to obtain a reclamation bond for this site.

PBB:jb
cc: Wes Hansen, Quality Building Stone
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